## PRIVILEGE MOTION.

### Re. Arrest of Sri B. R. Sunthankar, Member of the House.

MR. SPEAKER.—The Hon'ble Member Sri C. M. Arumugham has given notice of a motion which reads as follows:—

"I desire to move a matter of breach of privilege under Rule 177 pertaining to the arrest of one of the Hon'ble Members of this House Shri B. R. Sunthankar, as the matter tells seriously on the privilege of the Hon'ble Member from attending this House and thereby preventing him intentionally from participating in the business of the Legislative Assembly." The arrest of the Hon'ble Member Shri B. R. Sunthankar during the session of the Legislative Assembly has created a sense of alarm, frustration and the feelings of the members are severely strained. The arrest of Shri B. R. Sunthankar is in contravention to the article 194 of the Constitution of India."

Article 194 of the Constitution is to the effect *inter alia* that until the State Legislature makes a law on the subject, the powers, privileges and immunities of the House and of its members and committees shall be those of the House of Commons of the Parliament of the United Kingdom and of its members and committees at the commencement of the Constitution. In the House of Commons where the parliamentary privilege of freedom from arrest is of great antiquity, it has been clearly laid down from the very beginning that what amounts to a breach of privilege is arrest in civil proceedings and that arrest on a criminal charge is not a breach of privilege. These rulings of the House of Commons have been followed without exception in all the State Legislatures in India. This question was also the subject of examination by a Committee of Privileges of the old Mysore Legislative Assembly in 1953 when the Committee reported that arrest in circumstances as the one under consideration would not amount to a breach of privilege.

In the circumstances, I have to hold that no case for breach of privilege arises and the motion of Sri Arumugham cannot be accepted.

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### Important Statements by Ministers at Press Conferences.

MR. SPEAKER.—During the last session of the Assembly, on the 6th March 1958, Hon'ble Sri J. B. Mallaradhya raised a question about the desirability of Ministers making important statements in the House rather than at Press Conferences outside. He drew the attention of the House to a Press Conference held by the then Minister for Revenue on the 5th of March 1958 in regard to the revenue policy of the Government. He stated that in matters of this kind, the House should be first taken into confidence, particularly when the Assembly was in session. Both on that day and on subsequent days, several Hon'ble Members spoke with reference to this point. On the 7th of May, Hon'ble Sri M. P. Patil also spoke with reference to the point raised by Sri J. B. Mallaradhya. He stated that so far as the particular Press Conference was concerned it related to no new matter of policy but was in respect of matters which had been settled long before the Conference and that at the Conference he did not disclose anything that was new. I then stated that I would give my ruling later.

I have examined the point at great length and I find no instance where any convention has been asserted or any principle laid down that invariably all ministerial statements should be made in the House. It is desirable that as far as possible ministerial statements in respect of important matters involving a change in policy should be made in the House when the House is in session, since this will enable the matter to be brought to the notice of the Legislature, which ultimately controls the policy of the Government. On the 25th of May 1950, Mr. Ellis Smith asked the following question of the Acting Prime Minister:—

"Mr. ELLIS SMITH.—On business, may I ask the acting Prime Minister, if he agrees that important ministerial statements should be made in the House where they can be subject to interrogation by the elected representatives of the people? And if so, will he bear in mind the constant growth of Press conferences, two of which were held last week, where important statements were made, which in my view, should have been made in this House? In view of the fact that the Press conferences in their present form are the result of war-time growth, will he consider this matter in order to prevent it being repeated in the future,"

Mr. MORRISON, Acting Prime Minister, thereupon replied as follows:

"I do not dissent from the initial and fundamental principle expressed by my Hon. friend, but I thought, on the whole, that Ministers lived up to these things. It is true that sometimes announcements are made at Press conferences but I think, on the whole, that when they are so made it is appropriate that they should, because, if every statement—especially about the economic and trading activities in which certain Departments are involved—were made in the House, there would be a lot of statements and the House would begin to get rather tired of them. (Hon'ble Members: "No.") Well, I have seen it happen with great respect. But I shall keep the point of my Hon. friend in mind, and I do not challenge his fundamental point. It is a matter for judgment on the merits of the case."

The following further discussion took place:—

"Mr. ELLIS SMITH.—Will my right Hon friend bear in mind that I am not asking that statements in general should not be made outside. What I am asking is that we should get back to the pre-war method and that important statements, like the abolition of points, control, and that kind of thing should be made in the House so that they may be immediately challenged by the elected representatives of the people.

Mr. MORRISON.—But it has been quite customary during the war and since. After all, there was not a Ministry of Food before the war. It is quite customary for statements about adjustments in rationing and points to be made outside, and if all of them were made here we should get congestion. However, I shall take note of the point and I will keep it in mind.

ERAL WINTERTON.–Is the Right Hon. Gentleman aware that some of us have been pressing the point put by the Hon. Gentleman upon Governments of all compositions–I pressed it both upon the National Government and the Conservative Government–and while Hon. and Right Hon. Gentleman opposite and some of my Right Hon. Friends on this Front Bench have attempted in the past to defend their action, the attitude of the House has been entirely inimical to the point which has just been made by the right Hon. Gentleman, that it is more convenient on many occasions to make the statement outside. Will he remember that this is the Commons House of Parliament?

"Mr. MORRISON.—I certainly will. I am not likely to be allowed to forget it. I will say this about the noble Lord, that he has been very fair on the matter, he has not hesitated to express criticism of his own people as well as ours, and we always welcome it when Hon. Gentleman opposite do that."

It will therefore be seen that opinion is divided as to the desirability of making all statements in the House. We may perhaps safely state that it is desirable that Ministers should, as far as possible, make statements in relation to policy in the House rather than outside it, when the House is in session. Generally speaking, this rule should be followed but cannot be claimed as a

(MR. SPEAKER)

matter of convention. The matter assumes a different character when the Assembly is not in session. In such a case, it may be necessary for a statement to be made immediately and cannot wait for the next session of the Assembly.

In the particular case in question, I am satisfied that the Minister's Press Conference did not relate to any important matter of policy. It related as a matter of fact, to Government Orders which were long in existence and he merely clarified the existing position. In such a case there is no point in insisting that the Minister should make a statement in the House.

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## Message from the Council re : Bills agreed to.

Mr. SPEAKER.—I have received the following message from the Chairman, Legislative Conncil :

"In accordance with Rule 105 of the Rules of Procedure and Conduct of Business in the Mysore Legislative Council, I transmit herewith a copy each of the following Bills as agreed to by the Council without any amendments.

1. The Madras Cultivating Tenants Protection (Mysore Amendment) Bill, 1958.

2. The Madras Commercial Crops Markets (Mysore Amendment and Validation of Levy of Cess, Bill,) 1958.

3. The Mysore Tenancy Laws (Second Amendment) Bill, 1958.

4. The Hyderabad Co-operative Societies (Mysore Amendment) Bill, 1958.

5. The Madras Area Municipalities (Extension of Term of Councillors) Bill, 1958."

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## LEGISLATIVE BUSINESS.

### Introduction of Bills.

Sri Kadidal MANJAPPA (Minister for Revenue).—Sir, I beg to introduce the Mysore Stamps (Second Amendment) Bill, 1958 which has been published in the *Mysore Gazette* under Rule 64 of the Rules of Procedure and Conduct of Business in the Mysore Legislative Assembly.

Mr. SPEAKER.—The Mysore Stamps (Second Amendment) Bill, 1958 is introduced.

Sri K. K. HEGDE (Minister for Health).—Sir, I beg to introduce the Mysore Nurses, Midwives and Health Visitors Bill, 1958 which has been published in the *Mysore Gazette* under Rule 64 of the Rules of Procedure and Conduct of Business in the Mysore Legislative Assembly.

Mr. SPEAKER.—The Mysore Nurses, Midwives and Health Visitors Bill, 1958 is introduced.

Sri T. MARIAPPA (Minister for Finance).—Mr. Speaker, Sir, I beg to present the Report of the Select committee on the Mysore Sales Tax (Second Amendment) Bill, 1958.

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## NON-OFFICIAL RESOLUTIONS.

### No. 1—Constitution of an Enquiry and Investigation Commission for Scrutinizing Government Undertakings.

(*Debate continued.*)

*ಶ್ರೀ ಎನ್. ಜಿ. ನರಸಿಂಹೇಗೌಡ (ಚನ್ನರಾಯಪಟ್ಟಣ).—ಸ್ವಾಮಿ, ಈ ನಿರ್ಣಯವನ್ನು ನಾನು ಅನುಮೋದಿಸುತ್ತಾ ಕೆಲವು ವಿಷಯಗಳನ್ನು ತಮ್ಮ ಗಮನಕ್ಕೆ ತರಬೇಕೆಂದು ಉದ್ದೇಶಿಸಿರುತ್ತೇನೆ.

ಈ ನಿರ್ಣಯದಲ್ಲಿರುವುದು ಸರ್ಕಾರ ಎಲ್ಲಾ ಆಡಳಿತದ ವಿಷಯಗಳನ್ನೂ ಪರಿಶೀಲಿಸಲು ಶಾಸನ ಸಭಾಸದಸ್ಯರು ಮತ್ತು ಖಾಸಗಿ ಸದಸ್ಯರುಳ್ಳ ಒಂದು ಕಮಿಷನ್ನನ್ನು ತೆರೆಯಬೇಕು ಎಂದು. ತಂದಿರ ತಕ್ಕಂಥ ವಿಷಯಗಳಲ್ಲಿ ಇದು ನಿಜವಾಗಿಯೂ ಎಷ್ಟು ಪ್ರಾಶಸ್ತ್ಯವಾದ ವಿಷಯ ಎನ್ನುವುದನ್ನು ನಾನು ಮಾನ್ಯ ಸದಸ್ಯರಿಗೆ ಹೇಳಬೇಕಾಗಿದೆ.

ಮೊದಲನೆಯದಾಗಿ ಕೈಗಾರಿಕೆಯ ವಿಷಯದಲ್ಲಿ ಈಗಾಗಲೇ ಅನೇಕ ಮಾನ್ಯ ಸದಸ್ಯರು ಮಾತನಾಡಿದ್ದಾರೆ. ಕೈಗಾರಿಕೆಗಳ ವಿಷಯ ತೆಗೆದುಕೊಳ್ಳುವಾಗ ಭದ್ರಾವತಿ ಕಬ್ಬಿಣದ ಕಾರ್ಖಾನೆ ತೆಗೆದುಕೊಳ್ಳೋಣ. ಅಲ್ಲಿ ತಯಾರಾಗತಕ್ಕಂಥ ಕಬ್ಬಿಣ ಹೇಗೆ ದುರುಪಯೋಗವಾಗುತ್ತಿದೆ ಎನ್ನುವುದನ್ನು ಪರಿಶೀಲನ ಬೇಕು. ಆದರೆ ಅದನ್ನು ಪರಿಶೀಲನಲು ಈಗ ಯಾವ ನಮಿತಿಯೂ ಇಲ್ಲ. ಅಲ್ಲಿರತಕ್ಕ ಒಬ್ಬ ಮ್ಯಾನೇಜರು ಖಾಸಗೀ ಜನಗಳಿಗೆ ಮತ್ತು ಸಂಸ್ಥೆಗಳಿಗೆ ಕಬ್ಬಿಣವನ್ನು ಕೊಡುತ್ತಿಲ್ಲ ಎಂದು ಅವರ ಮೇಲೆ ಅನೇಕ ಅಪಾದನೆಗಳೂ ಬಂದರೂ ಸಹ, ಅವುಗಳನ್ನು ತನಿಖೆ ಮಾಡುವವರಿಲ್ಲ. ಸರ್ಕಾರ ಕಬ್ಬಿಣವನ್ನು ಸ್ಯಾಂಕ್ಷ್ನ